

FILED  
BILLINGS DIV.

2008 FEB 29 PM 2 34

PATRICK E. DUFFY, CLERK

**IN THE UNITED STATES DISTRICT COURT**

DEPUTY CLERK

**FOR THE DISTRICT OF MONTANA**

**BILLINGS DIVISION**

**SANDRA L. SMITH and  
ROD G. SMITH,**

**Plaintiffs,**

**VS.**

**PAUL J. BYORTH, MD and BILLINGS  
OTOLARYNGOLOGY, P.C.,**

**Defendants.**

**CV-07-80-BLG-RFC**

## ORDER

Upon Stipulation between the parties hereto, by and between their counsel of record,

IT IS HEREBY ORDERED that the above-entitled cause is dismissed with prejudice, with each party to bear their own costs and attorneys' fees.

DATED this 24 Day of February, 2008.

**RICHARD F. CEBULL**  
U. S. DISTRICT JUDGE